

SECOND REGULAR SESSION

HOUSE BILL NO. 1240

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HEGEMAN.

Pre-filed December 13, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3132L.011

AN ACT

To repeal section 196.316, RSMo, and to enact in lieu thereof one new section relating to egg dealers and retailers licenses.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 196.316, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 196.316, to read as follows:

196.316. 1. All persons engaged in buying, selling, trading or trafficking in, or processing eggs, except those listed in section 196.313, shall be required to be licensed [under] pursuant to sections 196.311 to 196.361. Such persons shall file an annual application for such license on forms to be prescribed by the director, and shall obtain an annual license for each separate place of business from the director. The following types of licenses shall be issued:

(1) A "retailer's license" shall be required of any person defined as a retailer in section 196.311. A holder of a retailer's license shall not, by virtue of such license, be permitted or authorized to buy eggs from any person other than a licensed dealer, and any retailer desiring to buy eggs from persons other than licensed dealers, shall obtain a dealer's license in addition to a retailer's license.

(2) A "dealer's license" shall be required of any person defined as a dealer in section 196.311. A holder of a dealer's license shall not, by virtue of such license, be authorized or permitted to sell eggs to consumers, and any dealer desiring to sell eggs to consumers shall obtain a retailer's license in addition to a dealer's license.

(3) A "processor's license" shall be required of any person defined as a processor in section 196.311. A holder of a processor's license shall not, by virtue of such license, be

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 authorized or permitted to sell eggs in the shell to other persons, and any person desiring to sell
18 eggs in the shell to other persons, shall obtain a dealer's license in addition to a processor's
19 license.

20 2. The annual license fee shall be:

21 (1) Retailers \$ [5.00] **0.00**

22 (2) Dealers--License fees for dealers shall be determined on the basis of cases (30 dozen
23 per case) of eggs sold in the shell in any one week, as follows:

24 (a) 1 to 25 cases \$ [5.00] **0.00**

25 (b) 26 to 50 cases 12.50

26 (c) 51 to 100 cases 25.00

27 (d) more than 100 cases 50.00

28 (3) Processors--License fees for processors shall be determined on the basis of cases (30
29 dozen per case) of eggs, or the equivalent in liquid or frozen eggs, processed in any one day, as
30 follows:

31 (a) Less than 50 cases \$ 25.00

32 (b) More than 50 and less than 250 cases 50.00

33 (c) More than 250 and less than 1000 cases 75.00

34 (d) More than 1000 cases 100.00

35 3. All licenses shall be conspicuously posted in the place of business to which it applies.
36 The license year shall be twelve months, or any fraction thereof, beginning July first and ending
37 June thirtieth.

38 4. No license shall be transferable, but it may be moved from one place to another by the
39 consent of the director.

40 5. All moneys received from license fees collected [hereunder] **pursuant to this section**
41 shall be deposited in the state treasury to the credit of the agricultural fees fund.